

~~sale of a second right of interment; authorizing income from the perpetual care trust fund to be used for the cutting of grass abutting memorials or monuments; requiring the perpetual care trust fund to be a single purpose trust fund not subject to seizure, sale, assignment, or other alienation except under certain circumstances; requiring that a copy of the most recent trust report be retained in the cemetery's office for inspection by an owner or prospective purchaser of a burial lot, above ground crypt, niche, or burial right; requiring that certain trustees of the perpetual care trust fund be bonded in a certain manner; prohibiting a trustee of a perpetual care trust fund to have certain interests in the cemetery to which the fund pertains; limiting a trustee's actions in regard to the perpetual care trust fund; authorizing the Director of the Office of Cemetery Oversight to require correction of underfunding of a perpetual care trust fund; and generally relating to perpetual care trust funds.~~

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 5-602, 5-603, and 5-605

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Business Regulation

5-602.

(a) In this section, "developed land area" means land in a cemetery:

(1) that is available for burial;

(2) where roads, paths, or buildings have been laid out or built; or

(3) where burial lots have been outlined on a plat or in a record or sales brochure.

(b) (1) Each sole proprietor registered cemeterian or permit holder who sells or offers to sell to the public a burial lot or burial right in a cemetery as to which perpetual care is stated or implied shall have a perpetual care trust fund.

(2) A separate perpetual care trust fund shall be established for each cemetery to which this section applies.

(3) ON THE GENERAL PRICE LIST, CONTRACT OF SALE OF BURIAL SPACE, AND ANY CONVEYANCE DOCUMENTS, ALL CEMETERIES SUBJECT TO THE PROVISIONS OF THIS SUBTITLE SHALL STATE IN WRITING THE FOLLOWING USING 12 POINT OR LARGER TYPE FONT:

(I) "THE CEMETERY IS A PERPETUAL CARE CEMETERY."; OR

(II) "THE CEMETERY IS NOT A PERPETUAL CARE CEMETERY."